

WEDNESDAY, APRIL 13, 1983

TWENTY-SEVENTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Stanley J. A. McNery, Minister, Oak Grove Church of Christ, Warren County, Tennessee.

Representative Hillis led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 97

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

The Speaker announced that Representative Brewer was excused to attend the Federal - State Assembly, Washington, D.C.

**WEDNESDAY, APRIL 13, 1983--27th LEGISLATIVE DAY**

**REPORT OF CHIEF ENGROSSING CLERK**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 21, 356, 453, 693, 843, 1165, 1244, 1245, 1247 and 1251; House Joint Resolutions Nos. 120, 121, 122, 123, 124, 126 and 127; for his action.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos. 334, 347, 721, 800, 972 and 1253, and House Joint Resolutions Nos. 129, 130, 131, 134, 135 and 147, all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 334, 347, 721, 800, 972 and 1253; and House Joint Resolutions Nos. 129, 130, 131, 134, 135 and 147; for his action.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 125, 394, 482, 551, 588, 804, 959, 1064 and 1181 all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 263 and 652; and House Resolutions Nos. 26 and 27; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 263 and 652; House Resolutions Nos. 26 and 27; Senate Bills Nos. 125, 394, 482, 551, 588, 804, 959, 1064 and 1181.

CALENDAR

House Bill No. 502--To make certain provisions, law enforcement officers.

Ms. Duer moved that House Bill No. 502 be passed on third and final consideration.

Ms. Duer moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 502 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 38-8-104, is amended by adding the following language as a new subsection:

(d) The commission shall have the authority to establish criteria for determining whether to grant an exception to or waive the qualifications of minimum standards as provided in Tennessee Code Annotated, 38-8-106, based on such person's previous law enforcement experience and training.

On motion, the amendment was adopted.

Thereupon, House Bill No. 502, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	79
Noes . . . . .	12
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Davidson, Davis (Hamilton), DePriest, Dills, Disspayne, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Work--79.

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Representatives voting no were: Bell, Cobb, Crain, Davis (Gibson), DeBerry, Hudson, Jones, Love, McKinney, Scruggs, Shirley and Yelton--12.

Representative present and not voting was: Drew--1.

Mr. McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1190--To exempt certain group homes from Accessibility Act.

Mr. Shockley moved that House Bill No. 1190 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensiey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 491--To amend Drug Control Act.

Mr. Whitson moved that House Bill No. 491 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 491 by deleting Section 3 in its entirety and by renumbering the remaining sections accordingly.

On motion, the amendment was adopted.

Thereupon, House Bill No. 491, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	88
Noes . . . . .	5

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

Representatives voting no were: Bragg, Buck, Cobb, Crain and Dixon--5.

A motion to reconsider was tabled.

House Bill No. 827--To provide for certification of livestock.

On motion, House Bill No. 827 was made to conform with Senate Bill No. 1044.

On motion, Senate Bill No. 1044, on same subject, was substituted for House Bill No. 827.

Mr. Stafford moved that Senate Bill No. 1044 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	96
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 825--To amend Title 48, Chapter 19, Code.

On motion, House Bill No. 825 was made to conform with Senate Bill No. 547.

On motion, Senate Bill No. 547, on same subject, was substituted for House Bill No. 825.

Mr. Bell moved that Senate Bill No. 547 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	96
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 826--To make provisions, state employees group insurance plan.

Mr. Burnett moved that House Bill No. 826 be passed on third and final consideration.

Mr. Burnett moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 826 by deleting SECTION 2 in its entirety and substituting the following:

SECTION 2. Tennessee Code Annotated, Section 8-27-201, is further amended by adding the following new sentences at the end of the section:

"Any employee who leaves the state payroll because of a work-related injury and who qualified for benefits after

application to the Board of Claims, shall be considered an eligible employee for the purpose of participating in the state group insurance plan, provided that such employee was participating in the state group insurance plan at the time such work-related injury occurred. The various departments, agencies, boards, and commissions shall continue to pay that part of the cost of the insurance premium for such employees that may be paid for any other participating employee."

**AND FURTHER AMEND** by deleting SECTION 3 in its entirety and substituting the following:

**SECTION 3.** Tennessee Code Annotated, Section 8-27-201, is further amended by deleting the words, "are authorized to pay," from the third sentence and substituting instead the words, "shall pay."

**AND FURTHER AMEND** by deleting SECTION 4 in its entirety and substituting the following:

**SECTION 4.** Tennessee Code Annotated, Section 8-27-101, is amended by deleting the second sentence in its entirety and substituting instead the following:

"Two (2) state employees shall be selected in accordance with a procedure adopted by the State Insurance Committee, which is similar to that used to select the state employee trustees of the Consolidated Retirement System pursuant to Section 8-34-302, provided that the chairman of the State Insurance Committee and the chairman of the Consolidated Retirement System Board of Trustees may develop a procedure whereby the process for selection of state employee members to each entity is coordinated. The selection procedure adopted by the State Insurance Committee shall apply to the selection of state employee members occurring after July 1, 1983. One (1) state employee shall be an employee of either the University of Tennessee or the State University and Community College System selected under a procedure developed by the Tennessee Higher Education Commission and approved by the State Insurance Committee."

On motion, the amendment was adopted.

Thereupon, House Bill No. 826, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	94
Noes . . . . .	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills,

Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representatives voting no were: Pickering and Wix--2.

A motion to reconsider was tabled.

Mr. Burnett moved that House Bill No. 852 be placed on the Calendar for Monday, April 25, 1983, which motion prevailed.

House Bill No. 855--To enact The Financial Records Privacy Act.

Mr. Burnett moved that House Bill No. 855 be passed on third and final consideration.

Mr. Burnet moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 855 by deleting from Section 3 the language "Nothing in this Act shall prohibit" and substituting the language "The following acts are expressly permitted by, but are not otherwise subject to, the provisions of this Act".

FURTHER AMEND by deleting in its entirety the language of paragraph (7) of Section 3 and substituting the following:

(7) The furnishing of information or records deemed by a financial institution to be necessary or incidental to the performance of the duties of a federal, state or local official or agency;

AND FURTHER AMEND by adding to Section 3 the following language as a new paragraph (8) and renumbering existing paragraphs accordingly:

(8) The furnishing of information or records to a federal, state or local official or agency in response to a subpoena lawfully issued by the official or agency. A financial institution may presume that a subpoena which appears valid on its face has been lawfully issued;

On motion, the amendment was adopted.

Mr. Murphy moved to amend as follows:



AMENDMENT NO. 2

Amend House Bill No. 855 by deleting from the amendatory language of SECTION 8 the figures "\$500.00" and substituting instead the words and figures "two hundred and fifty dollars (\$250.00)".

FURTHER AMEND by deleting from the bond form provided at the end of SECTION 8 the figures "\$500.00" and substituting instead the figures "\$250.00".

On motion, the amendment was adopted.

Mr. Buck moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 855 by deleting item (1) of the amendatory language of Section 6 and substituting instead the following:

(1) A copy of the subpoena has been served upon the customer, if such customer is available for service, in the manner provided by law for the service of subpoena; and

On motion, the amendment was adopted.

Thereupon, House Bill No. 855, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	94
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 856--To make certain provisions, mortgage transfer tax.

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On motion, House Bill No. 856 was made to conform with Senate Bill No. 533.

On motion, Senate Bill No. 533, on same subject was substituted for House Bill No. 856.

Mr. Burnett moved that Senate Bill No. 533 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 92--To increase funds, Municipal Technical Advisory Service.

On motion, House Bill No. 92 was made to conform with Senate Bill No. 92.

On motion, Senate Bill No. 92, on same subject, was substituted for House Bill No. 92.

Mr. Burnett moved that Senate Bill No. 92 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	93
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller,

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Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Ms. DeBerry, Speaker pro tem.

House Bill No. 679--To provide compensation, utility district commissioners, Gibson County.

On motion, House Bill No. 679 was made to conform with Senate Bill No. 431.

On motion, Senate Bill No. 431, on same subject, was substituted for House Bill No. 679.

Mr. Davis (Gibson) moved that Senate Bill No. 431 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	93
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--93.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 948--To permit sale of red fox hides, certain counties.

On motion, House Bill No. 948 was made to conform with Senate Bill No. 897.

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On motion, Senate Bill No. 897, on same subject, was substituted for House Bill No. 948.

Mr. Crain moved that Senate Bill No. 897 be passed on third and final consideration.

Mr. Robertson moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 897 by adding the following at the end of the amendatory/language of Section 1:

( ) Not less than 19,400 nor more than 19,500.

( ) Not less than 26,000 nor more than 26,100.

( ) Not less than 38,800 nor more than 38,900.

On motion, the amendment was adopted.

Mr. Robertson moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 897 by adding a new section, as follows, immediately before the effective date section and by renumbering the effective date section accordingly:

SECTION \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Mr. Kelley moved to amend as follows:

**AMENDMENT NO. 3**

Amend Senate Bill No. 897 by adding an additional item in the amendatory language of Section 1, as follows:

( ) Not less than 25,500 nor more than 26,000.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 897, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	93
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--93.

Representative present and not voting was: Buck--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 140--To exempt certain Veterans, hunting and fishing license fees.

Mr. Davis (Hamilton) moved that House Bill No. 140 be passed on third and final consideration.

Mr. Severance moved to amend as follows:

#### **AMENDMENT NO. 1**

Amend House Bill No. 140 by adding at the end of Section 2 the following:

"Tennessee Code Annotated, Section 51-208, is, further, amended by adding at the end of said section the following:

The Executive Director shall file quarterly with the Commissioner of Finance and Administration a report indicating the number of free licenses issued, the types of licenses so issued, and the value of the licenses so issued. The Commissioner of Finance and Administration, upon receipt of the certified report, shall cause to be transferred from the General Fund to the Wildlife Resources Fund an amount equal to the value of all free licenses so issued."

Mr. Robertson moved that the Amendment No. 1 be tabled, which motion prevailed by the following vote:

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Ayes . . . . .	60
Noes . . . . .	22
Present and not voting . . . . .	3

Representatives voting aye were; Bell, Bewley, Bivens, Bragg, Burnett, Clark (Davidson), Cobb, Davidson, Davis (Pickett), DeBerry, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Love, McKinney, Murphy, Murray, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Sir, Stafford, Starnes, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Work--60.

Representatives voting no were: Atchley, Buck, Byrd, Crain, Davis (Gibson), Dills, Disspayne, Hassell, Hillis, Kisber, McAfee, McNally, Montgomery, Moore (Shelby), Moore (Sullivan), Naifeh, Severance, Stallings, Tanner, Turner, Ussery and Yelton--22.

Representatives present and not voting were: Covington, Hudson, and Miller--3.

Mr. Moore moved the previous question, which motion prevailed.

Thereupon House Bill No. 140 passed its third and final consideration by the following vote:

Ayes . . . . .	94
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--94.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 521--To amend Title 59, Chapter 8, Code.

On motion, House Bill No. 521 was made to conform with Senate Bill No. 437.

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On motion, Senate Bill No. 437, on same subject, was substituted for House Bill No. 521.

Mr. Davis (Hamilton) moved that Senate Bill No. 437 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	93
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--93.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1206--To properly distribute certain service charges or gratuities.

On motion, House Bill No. 1206 was made to conform with Senate Bill No. 1004.

On motion, Senate Bill No. 1004, on same subject, was substituted for House Bill No. 1206.

Mr. Davis (Hamilton) moved that Senate Bill No. 1004 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller,

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Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--95.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 313--To amend Section 51-238, Code.

On motion, House Bill No. 313 was made to conform with Senate Bill No. 288.

On motion, Senate Bill No. 288, on same subject, was substituted for House Bill No. 313.

Mr. Hillis moved that Senate Bill No. 288 be placed on the Calendar for Monday, April 25, 1983, which motion prevailed.

House Bill No. 314--To amend Section 51-415, Code.

On motion, House Bill No. 314 was made to conform with Senate Bill No. 199.

On motion, Senate Bill No. 199, on same subject, was substituted for House Bill No. 314.

Mr. Hillis moved that Senate Bill No. 199 be placed on the Calendar for Monday, April 25, 1983, which motion prevailed.

House Bill No. 315--To amend Sections 51-211, 51-216, 51-417 and 51-429, Code.

On motion, House Bill No. 315 was made to conform with Senate Bill No. 200.

On motion, Senate Bill No. 200, on same subject, was substituted for House Bill No. 315.

Mr. Hillis moved that Senate Bill No. 200 be placed on the Calendar for Monday, April 25, 1983, which motion prevailed.

House Bill No. 322--To regulate production and use, fuel alcohol.

On motion, House Bill No. 322 was made to conform with Senate Bill No. 309.

On motion, Senate Bill No. 309, on same subject, was substituted for House Bill No. 322.



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Mr. Stafford moved that Senate Bill No. 309 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	94
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--94.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF SENATE BILL NO. 547**

Senate Bill No. 547--To amend Title 48, Chapter 19, Code.

Mr. Burnett moved that the motion to reconsider Senate Bill No. 547 be lifted from the table, which motion prevailed.

Mr. Burnett moved that the House reconsider its action in passing Senate Bill No. 547 on third and final consideration, as amended, which motion prevailed.

Mr. Burnett moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 547 by deleting from Section 1, as amended, the language:

The term "Project,"

and substituting the following:

Tennessee Code Annotated, Section 48-1901, is amended by adding at the end of subsection (13) (A) the following:

"The term "Project,"

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 547, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	93
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--93.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 10--To authorize Board of Regents to acquire certain property, Shelby County.

Mr. Gill moved that House Bill No. 10 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	93
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

Representative present and not voting was: Shirley--1.

A motion to reconsider was tabled.

House Bill No. 917--To provide for charter form of county government.

Mr. Gill moved that House Bill No. 917 be passed on third and final consideration.

Mr. Jones moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 917 by deleting from the amendatory language of Section 3 the words, figure and symbols "five percent (5%)" and by substituting instead the following:

fifteen percent (15%).

Mr. Moore (Shelby) moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	55
Noes . . . . .	19
Present and not voting . . . . .	11

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Crain, Davidson, Davis (Gibson), Davis (Hamilton), Duer, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Kelley, Kent, Kisber, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murray, Nalfah, Nance, Phillips, Pickering, Rhinehart, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson and Wix--55.

Representatives voting no were: Bragg, Byrd, Cobb, DeBerry, Disspayne, Dixon, Drew, Jones, Kernell, Love, McKinney, Murphy, Naiper, Pruitt, Robinson (Hamilton), Scruggs, Severance, Shirley and Williams--19.

Representatives present and not voting were: Covington, Davis (Pickett), Ellis, Harrill, Hudson, Owen, Percy, Robinson (Davidson), Wolfe, Wood and Yelton--11.

Mr. Copeland moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 917 by adding the following new section immediately preceeding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_ . The provisions of this act shall not apply in

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any county having a population of not less than 287,700 nor more than 287,800 according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Shirley moved to amend as follows:

**AMENDMENT NO. 3**

Amend House Bill No. 917 by deleting the second sentence of the amendatory language of Section 1 and by substituting instead the following:

Such proclamation shall be ratified by a two-thirds (2/3) vote of all members constituting the county legislative body, and not by merely two-thirds (2/3) of the members at any regular meeting or at any meeting specially called to consider such proclamation.

Amendment No. 3 failed by the following vote:

Ayes . . . . .	10
Noes . . . . .	67
Present and not voting . . . . .	8

Representatives voting aye were: Byrd, DeBerry, Dixon, Drew, Jones, Kernell, Nance, Pruitt, Severance and Shirley--10.

Representatives voting no were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Clark (Davidson), Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Dispayne, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kisber, McAfee, McNally, Montgomery, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Napier, Phillips, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--67.

Representatives present and not voting were: Covington, Ellis, Harrill, Love, Miller, Owen, Percy and Robinson (Davidson)--8.

Thereupon, House Bill No. 917, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	84
Noes . . . . .	9
Present and not voting . . . . .	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson),

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Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--84.

Representatives voting no were: Byrd, DeBerry, Dixon, Drew, Jones, Love, Moore (Sullivan), Pruitt and Shirley--9.

Representatives present and not voting were: Ellis, Owen and Robinson (Davidson)--3.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1070--To provide for certain redevelopment districts.

Mr. Gill moved that House Bill No. 1070 be passed on third and final consideration.

Mr. Gill moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1070 by deleting Sections 1 and 2 in their entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 13-20-203(a), is amended by deleting the following language:

nor more than three hundred twenty-five thousand (325,000)

and by substituting instead the following:

nor more than three hundred thousand (300,000) or any county having a population of not less than four hundred thousand (400,000).

Section 2. Tennessee Code Annotated, Section 13-20-205(c) (1) is amended by deleting the following language:

nor more than three hundred twenty-five thousand (325,000)

and by substituting instead the following

nor more than three hundred thousand (300,000) or if such

county has a population of not less than four hundred thousand (400,000).

Mr. Scruggs moved that Amendment No. 1 be tabled, which motion failed.

Thereupon, on motion, Amendment No. 1 was adopted.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1070 by adding the following new section:

"Sec. \_\_: The provisions of this act shall not apply to counties having a metropolitan form of government."

On motion, the amendment was adopted.

Thereupon, House Bill No. 1070, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	86
Noes . . . . .	5
Present and not voting . . . . .	3

Representatives voting aye were: Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Sir, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--86.

Representatives voting no were: Anderson, Hudson, Scruggs, Severance and Smith--5.

Representatives present and not voting were: Frensley, Jones and Shirley--3.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 284--To increase bond, court cost.

Mr. Murphy moved that House Bill No. 284 be passed on third and

final consideration, which motion prevailed by the following vote:

Ayes . . . . . 92  
Noes . . . . . 3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--92.

Representatives voting no were: Buck, Robertson and Shirley--3.

A motion to reconsider was tabled.

House Bill No. 235--To amend Shelby County Restruction Act.

On motion, House Bill No. 235 was made to conform with Senate Bill No. 114.

On motion, Senate Bill No. 114, on same subject, was substituted for House Bill No. 235.

Mr. Gill moved that Senate Bill No. 114 be passed on third and final consideration.

Mr. Turner moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 114 by deleting from the amendatory language of Section 1 the words and figure "thirty-six (36) months" and substituting instead the words and figure "twenty-five (25) years".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 114, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 95  
Noes . . . . . 0

Representatives voting aye were: Anderson, Atchley, Bell,

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Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--95.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 481--To amend Local Transportation Funding Act.

On motion, House Bill No. 481 was made to conform with Senate Bill No. 546.

On motion, Senate Bill No. 546, on same subject, was substituted for House Bill No. 481.

Mr. Huskey moved that Senate Bill No. 546 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 546 by deleting in its entirety subsection (b) of the amendatory language of Section 1, and by substituting instead the following:

(b) Any resolution of a county to which this act may apply shall not become operative until approved in an election provided in the county. The county election commission shall hold an election thereon, providing options to vote "FOR" or "AGAINST" the resolution, not less than forty-five (45) days nor more than sixty (60) days after the receipt of a certified copy of such resolution, and a majority vote of those voting in the election shall determine whether the resolution is to be operative. If the majority vote is for the resolution, it shall be deemed to be operative on the date that the county election commission makes its official canvass of the election returns. Provided, however, that no tax shall be collected under any such resolution until the first day of a month occurring at least thirty (30) days after the operative date.

Once any such county imposes such tax, such county may



repeal its imposition by a two-thirds (2/3) vote of the county legislative body or by a majority vote of those voting in an election on the question of whether or not such tax should be repealed. A petition to place such question on the ballot may be initiated by the voters of such county in the manner provided in Tennessee Code Annotated, Section 67-3053(c).

On motion, the amendment was adopted.

Mr. Huskey moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 546 by deleting in its entirety the language as amended by Senate Amendment #1 and substituting the following new Section 1 to the bill:

"Section 1 (a). Tennessee Code Annotated, Section 67-63-103(a) is hereby amended by inserting after the words "which operates" and before the words "or in the future" the following words "or in which is operated by a municipality in a county whose population is not less than forty one thousand (41,000) nor more than forty one thousand five hundred (41,500) according to the 1980 federal census of population or any subsequent federal census";

(b) Tennessee Code Annotated, Section 67-63-105(a) is amended by inserting the following language as a new subitem to be designated as subitem (3): If the tax authorized herein shall be levied by a county in which is operated a public transportation system by a municipality in a county whose population is not less than forty-one thousand (41,000) nor more than forty-one thousand five hundred (41,500) according to the 1980 federal census of population or any subsequent federal census, except as provided in amendatory subsection (c) of Section 1 of this act, the net proceeds shall be apportioned to such county levying such tax and shall be used for support of public transportation services provided wholly or partly within such governmental unit, which shall include necessary road and street repair in support of such public transportation services, in accordance with the provisions of amendatory subsection (c) of Section 1 of this act.

(c) Tennessee Code Annotated, Section 67-63-104(a) is hereby amended by adding the following sentence at the end of such section: "All proceeds collected from within a municipality which already qualifies as a mass transit system under Section 67-63-102 (b) (3) in a county whose population is not less than forty one thousand (41,000) nor more than forty one thousand five hundred (41,500) according to the 1980 federal census of population or any subsequent federal census shall be remitted to said municipality by the Department of Revenue after the department deducts their administrative and collection costs provided pursuant to Section 67-63-104."

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 546, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	94
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 346--To amend Section 27-9-114, Code.

Mr. Miller moved that House Bill No. 346 be passed on third and final consideration.

Mr. Gill moved to amend as follows:

#### **AMENDMENT NO. 1**

Amend House Bill No. 346 in Section 1 by adding the following at the end of the amendatory language:

The provisions of this subsection shall not apply to any county with a population exceeding 700,000 according to the 1980 federal census or any subsequent federal census, nor to any municipality in such county.

On motion, the amendment was adopted.

Mr. Wallace moved to amend as follows:

#### **AMENDMENT NO. 2**

Amend House Bill No. 346 in Section 1 by adding the following at the end of the amendatory language:

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This de novo requirement shall not apply when the employee is provided by the municipality or county with a hearing which is reviewable by a court of record, and in these cases the cause shall be heard as one under common law writ of certiorari, shall be limited to the record compiled at the hearing, and shall be heard by the judge or chancellor without a jury.

Mr. Miller moved that Amendment No. 2 be tabled, which motion failed by the following vote:

Ayes . . . . .	40
Noes . . . . .	49
Present and not voting . . . . .	1

Representatives voting aye were: Bragg, Buck, Burnett, Byrd, Clark (Davidson), Covington, Davidson, Davis (Hamilton), DeBerry, DePriest, Disspayne, Dixon, Drew, Ellis, Elsea, Gaia, Gill, Hillis, Kernell, King (Shelby), Love, McKinney, Miller, Moore (Sullivan), Murphy, Nance, Owen, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Shockley, Sir, Starnes, Wix, Work and Yelton--40.

Representatives voting no were: Anderson, Atchley, Bell, Bewley, Bivens, Chiles, Clark (Sumner), Crain, Davis (Gibson), Dills, Duer, Ford, Frenley, Gafford, Harrill, Hassell, Henry, Herndon, Hudson, Huskey, Jared, Johnson, Kelley, Kent, King (Washington), Kisber, McAfee, McNally, Montgomery, Moore (Shelby), Murray, Naifeh, Napier, Percy, Robertson, Robinson (Washington), Scruggs, Smith, Stafford, Stallings, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe and Wood--49.

Representative present and not voting was: Cobb--1.

Mr. Miller moved that House Bill No. 346 be placed on the Calendar for Monday, April 25, 1983, which motion prevailed.

### **CONSENT CALENDAR**

Senate Joint Resolution No. 82--Relative to designating "Ramp Festival Day".

House Joint Resolution No. 150--Relative to commending employees, Energy Authority.

House Joint Resolution No. 151--Relative to memory, Gayle Gupton.

House Bill No. 1272--To provide for Mayor and Board of Alderman, Oneida.

On motion, House Bill No. 1272 was made to conform with Senate Bill No. 1187.

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On motion, Senate Bill No. 1187, on same subject, was substituted for House Bill No. 1272.

House Bill No. 1273--To revise and amend Charter, Oneida.

On motion, House Bill No. 1273 was made to conform with Senate Bill No. 1186.

On motion, Senate Bill No. 1186, on same subject, was substituted for House Bill No. 1273.

House Bill No. 1275--To amend Charter, Jackson.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes . . . . .	96
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

**RESOLUTIONS LYING OVER**

Senate Joint Resolution No. 86--Relative to commending Mayor A. K. Bissell.

Under the rules, Senate Joint Resolution No. 86 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 87--Relative to congratulating Mrs. Joan Keith.

Under the rules, Senate Joint Resolution No. 87 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 88--Relative to congratulating T.V.A.

Under the rules, Senate Joint Resolution No. 88 was referred to the Committee on Calendar and Rules.

Mr. Henry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 163 out of order, which motion prevailed.

House Joint Resolution No. 163--Relative to congratulating coach and Lady Bobcats basketball team--By Henry, McNally and Duer.

Mr. Henry moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 163, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Scruggs moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 164 out of order, which motion prevailed.

House Joint Resolution No. 164--Relative to memory, Ebb King--By Scruggs, Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frenley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

Mr. Scruggs moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 164, which motion prevailed.

Mr. Scruggs moved that House Joint Resolution No. 164 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson),

Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nalfeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

### HOUSE BILL ON SENATE AMENDMENT

House Bill No. 496--To prohibit taking a bribe.

### SENATE AMENDMENT NO. 1

Amend House Bill No. 496 by deleting the language and punctuation "for disposition by public auction or as otherwise provided by law." on the first sentence of Section 1 and substituting in lieu thereof the following language and punctuation: ". Notwithstanding any other provisions of the law, rule or regulation promulgated pursuant thereto, said property shall be disposed of as surplus property by the commissioner of the department of general services at public auction held by and under the normal rules and regulations of the state surplus property division at such times and places as designated by the commissioner of general services."

FURTHER AMEND by adding the following language to the end of the second sentence of Section 1: "except said property itself shall be turned over to the lien holder if said lien, as determined by the commissioner of general services, is greater than the estimated fair market value as established by the commissioner of general services."

FURTHER AMEND by adding the following sentence to the end of Section 1: "The state surplus property division of the department of general services shall retain its normal service fees in accordance with rule 0690-2-1-.10."

Mr. Wood moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills,

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Dispayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--95.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 197--To provide for levy of motor vehicle privilege taxes.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 197 by adding before the effective date Section the following and by renumbering the subsequent section accordingly:

**SECTION \_\_\_\_.** The provisions of this act shall not apply in any county having a population of not less than three hundred nineteen thousand six hundred twenty five (319,625) nor more than three hundred nineteen thousand seven hundred twenty five (319,725) or not less than seventy seven thousand seven hundred (77,700) nor more than seventy seven thousand eight hundred (77,800) or not less than forty one thousand four hundred (41,400) nor more than forty one thousand five hundred (41,500) according to the 1980 federal census or any subsequent federal census.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 197 by adding:

The provisions of this act shall not apply to counties having a population of between 235,000 and 289,000 according to the 1980 Federal Census.

**SENATE AMENDMENT NO. 6**

Amend House Bill No. 197 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

**SECTION \_\_\_\_.** The provisions of this act shall not apply in counties having a population of

not less than

nor more than

4,500  
31,900  
26,400  
38,300  
32,600  
7,450  
32,760  
32,850  
28,650  
34,600  
67,300  
34,800  
24,590

4,600  
32,000  
26,500  
38,315  
32,700  
7,500  
32,800  
32,950  
28,660  
34,700  
67,400  
34,900  
24,600

according to the 1980 federal census of population or any subsequent federal census.

### SENATE AMENDMENT NO. 7

Amend House Bill No. 197 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply in counties having a population of

not less than

nor more than

14,900  
28,650  
10,800  
15,100  
6,000  
58,075

14,925  
28,660  
10,900  
15,200  
6,125  
58,175

according to the 1980 federal census of population or any subsequent federal census.

### SENATE AMENDMENT NO. 8

Amend House Bill No. 197 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in counties having a population of:

Not less than

Nor more than

15,675  
7,650

15,775  
7,700



4,300	4,400
6,125	6,225
14,925	14,940
9,350	9,400
47,575	47,615
13,565	13,600
19,500	19,575

according to the 1980 federal census or any subsequent federal census of population.

**SENATE AMENDMENT NO. 9**

Amend House Bill No. 197 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

**SECTION \_\_\_\_.** The provisions of this act shall not apply in counties having a population of:

Not less than	Nor more than
32,600	32,700
38,300	38,315
31,900	32,000
4,500	4,600
26,400	26,500

according to the 1980 federal census of any subsequent federal census of population.

**SENATE AMENDMENT NO. 10**

Amend House Bill No. 197 by adding a new section as follows:

the provisions of this act shall not apply to counties have a population of not less than 25,300 nor more than 25,500

not less than 23,800 nor more than 23,900

not less than 22,500 nor more than 22,600

not less than 22,200 nor more than 22,300

not less than 21,300 nor more than 21,400

not less than 12,700 nor more than 12,800

not less than 20,300 nor more than 20,400

all according to the 1980 or any subsequent federal census.

Mr. Bragg moved that the House non-concur in Senate Amendments Nos. 1, 2, 6, 7, 8, 9 and 10, which motion prevailed.

**SECOND ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 96

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

### **INTRODUCTION OF RESOLUTIONS**

House Joint Resolution No. 152--Relative to residency requirements, House Members--By Shirley.

The Speaker referred House Joint Resolution No. 152 to the Committee on Judiciary.

House Joint Resolution No. 153--Relative to study, property tax appraisal--By Bragg.

The Speaker referred House Joint Resolution No. 153 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 154--Relative to study, banking industry--By Johnson, Mr. Speaker McWherter, Naifeh and Tanner.

The Speaker referred House Joint Resolution No. 154 to the Committee on Commerce.

House Joint Resolution No. 155--Relative to congratulating Covington High School boys' basketball team--By Naifeh.

Under the rules, House Joint Resolution No. 155 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 156--Relative to honoring Stewart County High School--By Herndon.

Under the rules, House Joint Resolution No. 156 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 157--Relative to commending certain officials, rail warning system, Knoxville--By Owen, Severance, Miller, Scruggs and Drew.

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Under the rules, House Joint Resolution No. 157 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 158--Relative to commending the Marching Mothers--By Owen, Severance, Scruggs, Drew, Hudson and Smith

Under the rules, House Joint Resolution No. 158 was referred to the Committee on Calendar and Rules.

**INTRODUCTION OF BILLS**

House Bill No. 1278--To amend charter, Dowelltown--By Buck.

Passed first consideration.

House Bill No. 1279--To provide for general sessions court, Madison County--By Wallace, Kisber and Crain.

Passed first consideration.

**SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 103--To regulate Goodwyn Institute Commission.

Passed first consideration.

Senate Bill No. 116--To regulate personal property under local option sales tax.

Passed first consideration.

Senate Bill No. 225--To regulate withdrawal, Tennessee Retirement System.

Passed first consideration.

Senate Bill No. 295--To regulate right to trial by jury, certain misdemeanor cases.

Passed first consideration.

Senate Bill No. 327--To amend Section 8-30-308, Code.

Passed first consideration.

Senate Bill No. 362--To regulate limited payment, certain state contracts.

Passed first consideration.

Senate Bill No. 549--To amend Section 54-7-113, Code.

Passed first consideration.

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Senate Bill No. 593--To amend Section 17-1-106, Code.

Passed first consideration.

Senate Bill No. 756--To create North Central Tennessee Railroad Authority.

Passed first consideration.

Senate Bill No. 1189--To levy wheel tax, Johnson County.

Passed first consideration.

**SENATE BILL ON SECOND CONSIDERATION**

Senate Bill No. 223--To regulate retirement system, Shelby County.

Passed second consideration and held without reference.

**HOUSE BILL ON SECOND CONSIDERATION**

House Bill No. 1276--To levy wheel tax, Johnson County.

Passed second consideration and held without reference.

**REPORTS FROM STANDING COMMITTEES**

**AGRICULTURE**

MR. SPEAKER: Your Committee on Agriculture begs leave to report that we have carefully considered and recommend for passage: Senate Joint Resolution No. 58 (with amendment).

PICKERING, Chairman.

Under the rules, Senate Joint Resolution No. 58 were transmitted to the Committee on Calendar and Rules.

**COMMERCE**

MR. SPEAKER: Your Committee on Commerce begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 567 (with amendment), 887 (with amendment), 957 (with amendment), 1006 (with amendments), 1074, 1092 and 1277.

MURRAY, Chairman.

Under the rules, House Bills Nos. 567, 887, 957, 1006, 1074, 1092 and 1277 were transmitted to the Committee on Calendar and Rules.

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**CONSERVATION AND ENVIRONMENT**

**MR. SPEAKER:** Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 224, 626 (with amendment), 1082 and 1100 (with amendment); House Joint Resolution No. 133, and Senate Joint Resolution No. 40.

**HILLIS, Chairman.**

Under the rules, House Bills Nos. 224, 626, 1082 and 1100, House Joint Resolution No. 133 and Senate Joint Resolution No. 40 were transmitted to the Committee on Calendar and Rules.

**EDUCATION**

**MR. SPEAKER:** Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Bill No. 1056 (with amendment).

**WORK, Chairman.**

Under the rules, House Bill No. 1056 was transmitted to the Committee on Calendar and Rules.

**FINANCE, WAYS AND MEANS**

**MR. SPEAKER:** Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 37 (with amendment), 97, 186, 337 (with amendment), 467, 573, 762, 974, 1051, 1064, 1115, 1137 and 1144.

**BRAGG, Chairman.**

Under the rules, House Bills Nos. 37, 97, 186, 337, 467, 573, 762, 974, 1051, 1064, 1115, 1137 and 1144 were transmitted to the Committee on Calendar and Rules.

**GENERAL WELFARE**

**MR. SPEAKER:** Your Committee on General Welfare begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 602 (with amendment), 696, 885, 1125 (with amendment) and 1146.

**STARNES, Chairman.**

Under the rules, House Bills Nos. 602, 696, 885, 1125 and 1146 were transmitted to the Committee on Calendar and Rules.

**JUDICIARY**

**MR. SPEAKER:** Your Committee on Judiciary begs leave to report

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that we have carefully considered and recommend for passage: House Bills Nos. 587 (with amendment), 658 (with amendment), 775 (with amendment), 788, 886, 931 and 1212.

MURPHY, Chairman.

Under the rules, House Bills Nos. 587, 658, 775, 788, 886, 931 and 1212 were transmitted to the Committee on Calendar and Rules.

### **STATE AND LOCAL GOVERNMENT**

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 52 (with amendment), 454, 462 (with amendment), 647 (with amendment), 687, 704 (with amendment), 850 and 1193.

MILLER, Chairman.

Under the rules, House Bills Nos. 52, 454, 462, 647, 687, 704, 850 and 1193 were transmitted to the Committee on Calendar and Rules.

### **TRANSPORTATION**

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 524 (with amendment), 570 (with amendment), 834 and 991; and House Joint Resolution No. 90.

ROBINSON (Davidson), Chairman.

Under the rules, House Bills Nos. 524, 570, 834 and 991; and House Joint Resolution No. 90 were transmitted to the Committee on Calendar and Rules.

### **REPORT OF COMMITTEE ON CALENDAR AND RULES**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, April 14, 1983: House Bills Nos. 440, 192, 27, 599, 816, 869, 849, 683, 684, 986, 985, 473, 479, 940, 545, 429, 771, 344, 1154, 1150, 76, 1196, 321 and 499.

GILL, Chairman.

### **MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

340--To provide for special election, General Assembly members;

859--To require state entities to purchase locally mined coal; both substituted for Senate Bills on same subject, amended, and passed

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by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos.:

361--To amend Title 66, Chapter 22, Part 1, Code;

1258--To provide for city commissioners, Springfield;

1264--To regulate purchasing, Robertson County; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**BILLS RE-REFERRED**

On motion of Mr. Gill House Bill No. 529 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Gill, House Bill No. 529 was referred to the Committee on Finance, Ways and Means.

On motion of Mr. Love, House Bill No. 761 was recalled from the Committee on General Welfare.

On motion of Mr. Love, House Bill No. 761 was referred to the committee on Finance, Ways and Means.

On motion of Mr. Davidson, House Joint Resolution No. 141 was recalled from the Committee on Judiciary.

On motion of Mr. Davidson, House Joint Resolution no. 141 was referred to the committee on Government Operations.

**BILLS WITHDRAWN**

On motion of Mr. Covington, House Bill No. 1 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Covington, House Bill No. 1 was withdrawn from the House.

On motion, of Mr. Covington, House Bill No. 656 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Covington House Bill No. 656 was withdrawn from the House.

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**NOTICE PURSUANT TO RULE NO. 57**

Pursuant to Rule No. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Thursday, April 14, 1983:

House Bill No. 494--Whitson

House Bill No. 539--Yelton

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos.:

608--To amend Section 37-287, Code;

803--To make certain provisions, court officers;

953--To repeal Chapter 573, Private Acts, 1933; all substituted for Senate Bills on same subject and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 10, 140, 284, 491, 502, 826, 855, 917, 1070, 1190 and 1275; and House Joint Resolutions Nos. 150, 151, 163 and 164; and find same correctly engrossed and ready for transmission to the Senate.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill No.:

746--To transfer governance, certain vocational-technical schools.

The Senate concurred in House Amendment No. 1 and nonconcurred in House Amendment No.2.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.



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**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolution No.:

85--Relative to beam-weapon missile defense development; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES**

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1257, 1271 and 1276.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**CONSENT CALENDAR**

**MR. SPEAKER:** The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Thursday, April 14, 1983: House Bills Nos. 781, 1027, 865, 1257, 1276, 1271; House Joint Resolutions Nos. 155, 156, 158, 157; Senate Joint Resolutions Nos. 86 and 87.

**GILL, Chairman.**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos. 263 and 652; both signed by the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No.:

634--To amend Section 40-7-118, Code.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Senate Amendment No. 3, withdrew Senate Amendment No. 3; adopted Senate Amendment No. 4, then repassed the

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bill on third and final consideration, as amended.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos.:

415--To define nonjudicial days, Juvenile Courts;

480--To regulate expenses, attending training sessions;

484--To amend Section 37-405, Code;

585--To amend Section 36-828, Code;

632--To prohibit causes, live birth;

663--To regulate competency, certain medical tests;

688--To amend Title 55, Chapter 8, Code;

867--To regulate enforcement, tax liens;

1087--To regulate motor vehicle fuel use tax;

1091--To limit authority, refund taxes;

1100--To define net earnings for corporate excise tax purposes;

1115--To regulate purchase, certain products; all passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**REPORT FROM STANDING COMMITTEE**

**GOVERNMENT OPERATIONS**

**MR. SPEAKER:** Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bill No. 67 (with amendment) and House Joint Resolution No. 136.

**DAVIS (Hamilton),** Chairman.

Under the rules, House Bill No. 67 and House Joint Resolution No. 136 were referred to the Committee on Calendar and Rules.

On motion of Mr. Naifeh, the House adjourned until 10:00 a.m. tomorrow.